

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

TALECRIS BIOTHERAPEUTICS, INC., and )  
BAYER HEALTHCARE LLC, )

Plaintiffs, )

v. )

BAXTER INTERNATIONAL INC., and )  
BAXTER HEALTHCARE CORPORATION, )

Defendants. )

C.A. No. 05-349-GMS

Jury Trial Demanded

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BAXTER HEALTHCARE CORPORATION, )

Counterclaimant, )

v. )

TALECRIS BIOTHERAPEUTICS, INC., and )  
BAYER HEALTHCARE LLC, )

Counterdefendants. )

REDACTED VERSION DI 358

DECLARATION OF JACLYN M. MASON IN SUPPORT OF PLAINTIFFS' MOTION  
FOR LEAVE TO FILE PLAINTIFFS' MOTION TO EXCLUDE DR. TERENCE  
SNAPE'S NONINFRINGEMENT OPINIONS

Bradford J. Badke, Esquire  
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1211 Avenue of the Americas  
New York, NY 10036  
*Of Counsel for Counterclaim Defendant  
Bayer Healthcare LLC*

Redacted Version filed: July 5, 2007  
Date: June 27, 2007

Jeffrey B. Bove (#998)  
Mary W. Bourke (#2356)  
Mark E. Freeman (#4257)  
Jaclyn M. Mason (#4737)  
Dana K. Hammond (#4869)  
Christopher E. Jeffers (*pro hac vice*)  
CONNOLLY BOVE LODGE & HUTZ LLP  
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(302) 658-9141  
*Attorneys for the Plaintiffs and  
Counterclaim Defendants*

I, Jaclyn M. Mason, declare:

1. I am an associate at the law firm of Connolly Bove Lodge and Hutz LLP in Wilmington, Delaware and one of the counsel of record for Plaintiffs and Counterdefendants Talecris Biotherapeutics, Inc. and Bayer Healthcare LLC. I make this declaration in support of Plaintiffs' Motion for Leave to File Plaintiffs' Motion to Exclude Dr. Terence Snape's Noninfringement Opinions based on my personal knowledge and the inspection of the documents attached hereto.

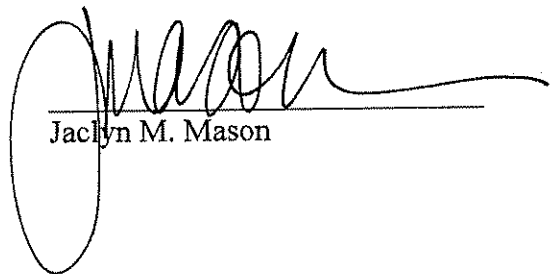
2. Attached hereto as Exhibit 1 is a true and correct copy of a June 26, 2007 letter from Mary Bourke to Jim Gilliland.

3. Attached hereto as Exhibit 2 is a true and correct copy of the June 14, 2007 email setting forth the Court's Oral Order on the parties' Motions *in Limine*.

**REDACTED**

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct to the best of my knowledge and belief.

Executed this 27th day of June, 2007, at Wilmington, Delaware.



Jaclyn M. Mason

**CERTIFICATE OF SERVICE**

I hereby certify on this 27th day of June, 2007 I electronically filed the foregoing **Declaration of Jaclyn M. Mason in Support of Plaintiffs' Motion for Leave File Plaintiffs' Motion to Exclude Dr. Terence Snape's Noninfringement Opinions** with the Clerk of Court using CM/ECF which will send notification of such filing to the following:

Philip A. Rovner, Esquire Potter Anderson & Corroon LLP Hercules Plaza P. O. Box 951 Wilmington, DE 19899 (302) 984-6140 provner@potteranderson.com	Susan Spaeth, Esquire Townsend and Townsend and Crew LLP 379 Lytton Avenue Palo Alto, CA 94301-1431 (415) 576-0200 smspaeth@townsend.com
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I also hereby certify that a true copy of the foregoing document was served upon the following in the manner indicated on June 27, 2007.

<b><u>Via Hand Delivery and E-Mail</u></b> Philip A. Rovner, Esquire Potter Anderson & Corroon LLP Hercules Plaza P. O. Box 951 Wilmington, DE 19899 (302) 984-6140 provner@potteranderson.com	<b><u>Via Federal Express and E-Mail</u></b> Susan Spaeth, Esquire Townsend and Townsend and Crew LLP 379 Lytton Avenue Palo Alto, CA 94301-1431 (415) 576-0200 smspaeth@townsend.com
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/s/ Jeffrey B. Bove  
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